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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,160	04/12/2002	Harry Jost	304-777	4980

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EXAMINER
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HO, THOMAS Y

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/031,160

**Applicant(s)**

JOST, HARRY

**Examiner**

Thomas Y Ho

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3,4,6-16,18-21 and 26 is/are allowed.
- 6) ☒ Claim(s) 5 and 22-25 is/are rejected.
- 7) ☒ Claim(s) 2 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Status of Claims*

Claims 1-26 are pending. No claims have been withdrawn or cancelled.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 5 and 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by**

**Cameron US4659116.**

As to claim 5, Cameron discloses, wherein the sealing surfaces have a cross-section with a mutually complimentary profile.

As to claim 22, Cameron discloses, a detachable sealing system for media-carrying parts comprising: a seal adjacent to a wall of a media-carrying area, which seals the sealing system when the parts are braced against one another, wherein the parts have mutually precisely complimentary sealing surfaces which are directly pressed onto one another to form a clearance-free seal at a contact surface (the entire curved portion on each mating part is a contact surface), wherein the contact surface between the sealing surfaces is limited to a narrow area directly adjacent to the media-carrying area (the "narrow area" can be whatever area is covered by the mating curved portions), wherein guide sections 34,44 are provided on both parts, the guide sections situated transversely to and spaced from the sealing surfaces, and wherein, for pre-centering of the two parts, the guide sections have at least one insertion bevel for bringing the

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two parts together, and a separating gap (see Figure 2) is formed between the guide sections for aligning the two parts before the sealing surfaces are pressed together, the sealing surfaces having a mutual guidance transverse to the media area walls and being, when pressed together, accurately fitting radially centered to each other, whereby the media-carrying area walls of both pads are truly aligned.

As to claim 23, Cameron discloses, a detachable sealing system for media-carrying parts comprising: a seal adjacent to a wall of a media-carrying area, which seals the sealing system when the parts are braced against one another, wherein the parts have mutually precisely complimentary sealing surfaces having cross-sections with a mutually complementary S-shaped profile, which sealing surfaces are directly pressed with a predetermined specific sealing pressure onto one another to form a clearance-free seal at a contact surface, wherein the contact surface between the sealing surfaces is limited to a narrow area directly adjacent to the media-carrying area, and further comprising reserve sealing surfaces 42,43 having a curvature directly adjoining the S-shaped sealing surface profile and being complementary on both pads, the reserve sealing surfaces being multiply wider than the sealing surfaces and the sealing surfaces and the reserve sealing surfaces are designed in such a way that at the reserve sealing surface, after bracing, the specific sealing pressure decreases with, the radial distance from the contact surface.

**Claim 24 is rejected under 35 U.S.C. 102(b) as being anticipated by Reusser US4384737.**

As to claim 24, Reusser discloses, a detachable sealing system for media-carrying parts comprising: a seal adjacent to a wall of a media-carrying area, which seals the sealing system

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when the parts are braced against one another (see Figure 5), wherein the parts have mutually precisely complimentary sealing surfaces which are directly pressed onto one another to form a clearance-free seal at a contact surface 58,60, and wherein the contact surface between the sealing surfaces is limited to a narrow area directly adjacent to the media-carrying area (the narrow area can be any distance), further comprising stop faces 38,40 (see Figure 2) between the parts, which form a clearance (see Figure 2, 58,60) between the parts before bracing the parts together, the clearance being sufficiently large that on bracing the sealing system up to closing of the clearance, a predetermined sealing pressure is built up by only elastic deformation of the parts (col.3, ln.25-35; col.9, ln.25-35).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron US4659116 in view of case law.**

As to claim 25, Cameron discloses a detachable sealing system for media-carrying parts, comprising, a seal adjacent to a wall of a media-carrying area, which seals the sealing system when the pads are braced against one another, wherein the parts have mutually precisely complimentary sealing surfaces having cross-sections with a mutually complementary S-shaped profile, which sealing surfaces are directly pressed onto one another to form a clearance-free seal at a contact surface, and wherein the contact surface between the sealing surfaces is limited to a

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narrow area directly adjacent to the media-carrying area (the narrow area can cover the entirety of the curved mating portions), the contact surface having a width. The difference between the claim and Cameron is the claim recites, a width between 0.01 and 1 mm. A change in the size of a prior art device is a design consideration within the skill of the art. In re Rose, 220 F.2d 459, 105 USPQ 237 (CCPA 1955). It would have been obvious to one of ordinary skill in the art, having the disclosures of Cameron and case law before him at the time the invention was made, to modify the size of the assembly of Cameron to have a contact surface width between 0.01 and 1 mm. One would have been motivated to make such a combination because changing the size is merely a design consideration within the skill of the art.

***Allowable Subject Matter***

Claims 1, 3-4, 6-16, 18-21, and 26 are allowed.

Claims 2 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: as to claims 1 and 26, the prior art of record fails to disclose or suggest the combination of claimed elements for a sealing system, and with a contact surface limited to a narrow area directly adjacent to the media-carrying area, the contact surface having a width of 1/5,000 to 1/50 of a nominal width of the sealing system.

The following is a statement of reasons for the indication of allowable subject matter: as to claim 2, the prior art of record fails to disclose or suggest the combination of claimed elements for a sealing system, and with a contact surface limited to a narrow area directly adjacent to the

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media-carrying area, the contact surface having a width of 1/5,000 to 1/50 of a nominal width of the sealing system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

Applicant's arguments with respect to claims 5 and 22-25 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

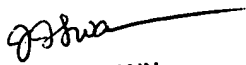
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y Ho whose telephone number is (703)305-4556. The examiner can normally be reached on M-F 10:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J Swann can be reached on (703)306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TYH

  
J. J. SWANN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600